



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MARCH 5, 2001
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call. (Council Member Harris was absent.)

Briefing with regard to proposed changes in Roanoke's Solid Waste Management Program. (45 minutes)

A communication from the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of pending litigation, pursuant to Section 2.1-344 (A)(7), Code of Virginia (1950), as amended. **(Approved 6-0)**

A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. **(Approved 6-0)**

At 12:20 p.m., the meeting was declared in recess to be reconvened in the Emergency Operations Center Conference Room, Room 159.

Briefing on proposed changes to the Solid Waste Management Program was received and filed.

File #144

At 1:55 p.m., the meeting was declared in recess until 2:00 p.m.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MARCH 5, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call. (Council Member Harris was absent.)

The Invocation was delivered by The Reverend Charles G. Fuller, Retired Pastor, First Baptist Church.

The Mayor called for a moment of silent prayer in memory of G. Frank Clement, former member of Roanoke City Council, and Jimmy B. Layman, Clerk, Roanoke City Market, and former Director of the Department of Parks and Recreation.

File #42-67-80-132-184-367

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, March 8, 2001, at 7:00 p.m., and Saturday, March 10, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

PRESENTATIONS:

A Proclamation declaring the month of March 2001 as National Nutrition Month.

File #3

A Resolution memorializing the late Reed Cotton, Sr.

Adopted Resolution No. 35221-030501. (6-0)

File #183-184-367

A Resolution in recognition of the heroic and potentially life-saving action of Mr. Keith Patrick Weltens of Radford, Virginia.

Adopted Resolution No. 35222-030501. (6-0)

File #80

2.

CONSENT AGENDA

(Approved 6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meetings of Roanoke City Council held on Tuesday, February 20, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

C-2 Qualification of the following persons:

Michael Brennan as a member of the Cultural Services Committee for a term ending June 30, 2001;
File #110-394

Darlene L. Burcham as a member of the Roanoke Valley-Allegheny Regional Commission for a term ending June 30, 2003; and
File #15-110-326

Robert J. Sparrow as a member of the Fair Housing Board for a term ending March 31, 2003.
File #15-110-178

RECOMMENDED ACTION: Receive and file.

**A communication from the City Manager requesting a Closed Meeting to discuss the disposition of publicly held property, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended.
File #2-132**

**A communication from the City Manager requesting a Closed Meeting to discuss a prospective business, where no previous announcement of the business's interest in locating its facilities in the City has been made, pursuant to Section 2.1-344 (A)(5), Code of Virginia (1950), as amended.
File #132-450**

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS:

- a. Report with regard to activities of the Roanoke Valley Economic Development Partnership. Phillip Sparks, Executive Director, Spokesperson.

**Received and filed.
File #109-450**

4. PETITIONS AND COMMUNICATIONS:

- a. A communication from the Commonwealth's Attorney requesting transfer of funds in the amount of \$12,997.00, in connection with purchase of replacement computers; and a statement of concurrence by the City Manager in the request.

Withdrawn.

5. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

1. Briefing with regard to the Flood Reduction Project. (45 minutes)

Received and filed.

File #237

ITEMS RECOMMENDED FOR ACTION:

2. A communication recommending authorization to remove defacement from private property visible from public right-of-way; and authorize community service as an option to the court for first offenders.

Adopted Ordinance No. 35223-030501. (6-0)

File #5-24-95-133

- b. DIRECTOR OF FINANCE:

1. Financial report for the month of January 2001.

Received and filed.

File #10-109

6. REPORTS OF COMMITTEES:

- a. A report of the Bid Committee recommending acceptance of the bid submitted by Peters and White Construction Company, in the amount of \$198,283.00, and 90 consecutive calendar days of contract time, with a project contingency of \$18,717.00, and \$900.00 for reproduction costs and advertising fees for the Guniting of Crystal Springs Reservoir and Falling Creek Reservoir; and transfer of \$217,900.00 in connection therewith. W. Alvin Hudson, Jr., Chair.

Adopted Budget Ordinance No. 35224-030501 and Ordinance No. 35225-030501. (6-0)
File #60-468

- b. A report of the Water Resources Committee recommending authorization to file a petition to vacate and close a portion of public street right-of-way across Official Tax No. 4010213, in connection with the development of the Art Museum/IMAX Theatre Project. Linda F. Wyatt, Chair.

Concurred in the recommendation.
File #468-514-538

- c. A report of the Water Resources Committee recommending that the City Manager be authorized to acquire the necessary utility easement across the property of James D. Fralin, located in Roanoke County, for the sum of \$20,000.00. Linda F. Wyatt, Chair.

Adopted Budget Ordinance No. 35226-030501 and Ordinance No. 35227-030501. (6-0)
File #60-28-330-468

- d. A report of the Water Resources Committee recommending that the City Manager be authorized to execute a new lease between the City and Commonwealth Buildings, a Virginia Partnership, for a term of one year, with the option to renew for three additional one-year terms, at the rate of \$2,516.88 per month. Linda F. Wyatt, Chair.

Adopted Resolution No. 35228-030501. (6-0)
File #468-373-524

- e. A report of the City Planning Commission recommending approval of the request of Dr. J. Hayden Hollingsworth and others to name the Roanoke City Courthouse Atrium in honor of the late Judge Beverly T. Fitzpatrick, Sr. D. Kent Chrisman, Chair.

Adopted Resolution No. 35229-030501. (6-0)
File #62-200-367-377

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35217, on second reading, rezoning a tract of land lying on the west side of Grandview Avenue, N. W., between Empress Drive and Marr Street, identified as Official Tax No. 2270223, subject to certain amended conditions proffered by the petitioner.

Adopted Ordinance No. 35217-030501. (6-0)
File #51

- b. Ordinance No. 35218, on second reading, rezoning two tracts of land located at 3034 and 3042 Brambleton Avenue, S. W., identified as Official Tax No. 1650903 and 1650946, from RS-3, Residential Single-Family District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioner.

Adopted Ordinance No. 35218-030501. (6-0)
File #51

- c. Ordinance No. 35219, on second reading, rezoning certain property located at 2109 and 2115 Peters Creek Road, N. W., identified as Official Tax Nos. 6370301, 6370302 and 6370304, from RS-3, Residential Single-Family District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioners.

**Adopted Ordinance No. 35219-030501. (5-1, Council Member Bestpitch voted no.)
File #51**

- d. Ordinance No. 35220, on second reading, authorizing donation and conveyance of a 15-foot easement across City-owned property to Verizon Virginia, Inc., located at 348 Campbell Avenue, S. W., to install underground facilities to provide telephone service to the new police building.

**Adopted Ordinance No. 35220-03051. (6-0)
File #5-28-166-330**

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED, WITHOUT OBJECTION, IMMEDIATELY, FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

CERTIFICATION OF CLOSED SESSION. (4-0, Council Members Harris, Hudson and White were absent.)

THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED IN RECESS UNTIL SATURDAY, MARCH 10, 2001, AT 8:30 A.M., AT THE HOTEL ROANOKE CONFERENCE CENTER, 110 SHENANDOAH AVENUE, N.W., AT WHICH TIME COUNCIL WILL PARTICIPATE IN A FINANCIAL PLANNING SESSION.